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2015 Assisted Living Advisory Council Annual Report

The Legislature established the Assisted Living Advisory Council (ALAC) under Chapter 19D, § 17 of Massachusetts General Laws. The purpose of the ALAC is to advise the Secretary of the Executive Office of Elder Affairs (EOEA) regarding the regulations governing the certification of Assisted Living Residences (ALRs) in the Commonwealth. The ALR certification regulations (651 CMR 12.00) were initially promulgated in 1996 and were subsequently updated in 2002 and 2006. The ALR regulations were most recently reviewed in 2014, resulting in modifications that were published in the Massachusetts Register in January 2015 and enforced as of July 1, 2015. The regulations are currently being reviewed pursuant to the regulation review process established by Executive Order 562.

Membership

The ALAC includes the Secretary of EOEA (or designee), the Secretary of the Executive Office of Health and Human Services (or designee), and the Undersecretary of Housing and Community Development (or designee). The ALAC also includes six appointed members, each serving a one year term. The Secretary of EOEA serves as chair of the ALAC.

2015/2016 Members:

- Secretary Alice Bonner, EOEA, Chair
- Sarah Glassman, the Department of Housing and Community Development (pending)
- Patricia Marchetti, Acting Program Manager, ALR Certification Unit, EOEA, Designee of the Secretary of the Executive Office of Health and Human Services
- Elana Margolis, Associate Director, Jewish Community Relations Council of Greater Boston
- May Shields, CEO, HEARTH, Inc.
- Michael J. Poissant, Board of Directors, Community Visiting Nurse
- Richard Moore, President of Massachusetts Assisted Living Facilities Association – MASS-ALFA

- Paul Raia, Independent Consultant
- Lucian Leape, Professor Emeritus, Harvard School of Public Health

In 2015, the ALAC members reviewed the proposed and final regulation modifications, offered constructive suggestions relating to the regulations and the Assisted Living Residence website and proposed EOE is grateful to them for their time, energy, dedication and commitment.

Review of Past Year

The ALAC met on March 24, 2015. Acting Secretary Susan Thomson served as Acting Chair. Acting Secretary Thomson provided details regarding the process for the ALAC members to be nominated and approved for the council. Patricia Marchetti, the Acting Program Manager of the ALR Certification Unit, informed the ALAC that EOE was hosting an informational session on April 23, 2015 for ALRs for the purpose of reviewing the recent regulatory changes. The informational session was intended to prepare ALR staff to make any necessary operational changes prior to the regulations taking effect on July 1, 2015.

Michael Banville, Acting MassALFA President and substitute for former ALAC member Emily Meyer (retired), announced that MassALFA was conducting a regulatory training session on May 13 at the DCU Center in Worcester. EOE staff also announced that the EOE website included a link to facilitate the submission of inquiries concerning the new regulations and encouraged any interested parties to make submissions. Mr. Banville shared with the ALAC that he was aware that several new ALRs were to be built in the coming year, matching the trend of recent years.

On June 1, 2015, Alice Bonner assumed the position of Secretary of EOE. The June 23, 2015 ALAC meeting was cancelled. The ALAC reconvened on September 25, 2015. EOE introduced new ALR certification unit staff members and indicated that after several staffing changes and retirements, the unit was fully staffed and prepared to implement the new regulations in the next round of re-certification reviews.

EOE shared ALR aggregate statistical data and noted that there were only minor changes from previous aggregate reports. MassALFA President Richard Moore discussed falls awareness and a discussion ensued regarding the implementation of evidence-based fall reduction programs. Mr. Moore indicated that it may be possible to incorporate falls prevention strategies into future MassALFA training sessions.

Secretary Bonner announced that a listening session regarding the regulations would be held as part of the regulatory review and that the submission of comments or questions could be made through the EOHHS website. Discussions regarding any potential changes to the regulations would be conducted by the conclusion of the regulatory review, which is scheduled to conclude in March 2016. The December 22, 2015 meeting was cancelled with the consent and input of the members.

Coming Year

The ALAC is scheduled to convene four times during 2016: March 22, June 28, September 27, and December 27. At the first meeting in March, the 2015 regulatory changes will be reviewed and a discussed. ALAC members may provide input regarding any additional changes pursuant to the regulatory review process.

Closing

EOEA grateful to the Legislature for its continued interest in the ALR certification regulations and for creating the ALAC. With continued growth in the elder population and ALRs, the ALAC will continue to serve an important function in working with the EOEA Secretary to help ensure the safety and security of elders who choose to live in their own residences while receiving support from the services of their choice.